

# INTERFERENCE INITIAL MEMORANDUM

Count # 1

**To the Board of Patent Appeals and Interferences:**

An interference is proposed involving the following 2 parties

|   |   |                              |                                     |                                    |
|---|---|------------------------------|-------------------------------------|------------------------------------|
| PARTY<br>Dall'Aglia et al.  | APPLICATION NO.<br>09/875,137   | FILING DATE<br>07 June 2001  | PATENT NO., IF ANY<br>n/a           | ISSUE DATE, IF ANY<br>n/a          |
| If the involved case is a patent, have its maintenance fees been paid? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not due yet  |   |                              |                                     |                                    |
| Proposed priority benefit (list all intervening applications necessary for continuity):   |   |                              |                                     |                                    |
| COUNTRY   | APPLICATION NO.   | FILING DATE                  | PATENT NO., IF ANY                  | ISSUE DATE, IF ANY                 |
| U.S.  | 09/533,784  | 24 March 2000                | 6,298,571                           | 09 October 2001                    |
| U.S.  | 09/011,928  | 24 February 1998             | 6,067,721                           | 30 May 2000                        |
| PCT   | PCT/EP96/04147  | 23 September 1996            | n/a                                 | n/a                                |
| Italy   | B095A000469   | 03 October 1995              | Unknown                             | Unknown                            |
| The claim(s) of this party corresponding to this count:   |   |                              |                                     |                                    |
| PATENTED OR PATENTABLE PENDING CLAIMS<br>25-32,35-37 and 39-41  |   |                              | UNPATENTABLE PENDING CLAIMS<br>None |                                    |
| The claim(s) of this party NOT corresponding to this count:   |   |                              |                                     |                                    |
| PATENTED OR PATENTABLE PENDING CLAIMS<br>33,34 and 38   |   |                              | UNPATENTABLE PENDING CLAIMS<br>None |                                    |
| PARTY<br>Esteve   | APPLICATION NO.<br>09/043,889   | FILING DATE<br>31 March 1998 | PATENT NO., IF ANY<br>6,088,924     | ISSUE DATE, IF ANY<br>18 July 2000 |
| If the involved case is a patent, have its maintenance fees been paid? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not due yet   |   |                              |                                     |                                    |
| Proposed priority benefit (list all intervening applications necessary for continuity):   |   |                              |                                     |                                    |
| COUNTRY   | APPLICATION NO.   | FILING DATE                  | PATENT NO., IF ANY                  | ISSUE DATE, IF ANY                 |
| PCT   | PCT/FR96/01545  | 03 October 1996              | n/a                                 | n/a                                |
| France  | 95/11789  | 06 October 1995              | Unknown                             | Unknown                            |
|   |   |                              |                                     |                                    |
|   |   |                              |                                     |                                    |
| The claim(s) of this party corresponding to this count:   |   |                              |                                     |                                    |
| PATENTED OR PATENTABLE PENDING CLAIMS<br>1-4 and 12   |   |                              | UNPATENTABLE PENDING CLAIMS<br>None |                                    |
| The claim(s) of this party NOT corresponding to this count:   |   |                              |                                     |                                    |
| PATENTED OR PATENTABLE PENDING CLAIMS<br>5-11   |   |                              | UNPATENTABLE PENDING CLAIMS<br>None |                                    |
| <i>(Check off each step, if applicable)</i> <b>INSTRUCTIONS</b>   |   |                              |                                     |                                    |
| <input checked="" type="checkbox"/> 1. Obtain all files listed above.<br><input checked="" type="checkbox"/> 2. Confirm that the proposed involved claims are still active and all corrections and entered amendments have been considered. The patents must not be expired for, among other things, failure to pay a maintenance fee (Check PALM screen 2970).<br><input checked="" type="checkbox"/> 3. If one of the involved files is a published application or a patent, check for compliance with 35 U.S.C. 135(b).<br><input checked="" type="checkbox"/> 4. Obtain a certified copy of any foreign benefit documents where necessary (37 CFR 1.55(a)).<br><input checked="" type="checkbox"/> 5. Discuss the proposed interference with an Interference Practice Specialist in your Technology Center. |   |                              |                                     |                                    |
| DATE<br>06 October 2008   | PRIMARY EXAMINER (Signature)  |                              | ART UNIT<br>2841                    | TELEPHONE NO.<br>(571) 272-210     |
| DATE  | INTERFERENCE PRACTICE SPECIALIST or TECHNOLOGY CENTER<br>DIRECTOR (signature) |                              |                                     | TELEPHONE NO.                      |